

## Official Proceedings

January 5, 2016  
8:00 am

Chairman Hoff called the meeting of the Stark County Board of Commissioners to order. All members present.

### Agenda

Chairman Hoff asked for any additions or deletions to the agenda. Commissioner Zander added planning and zoning position. Commissioner Wolf added ESG payment at the law enforcement center. Chairman Hoff added election of officers.

**MOTION BY:** Commissioner Zander      **SECOND BY:** Commissioner Elkin  
To approve the agenda as presented with the additions.

**DISPOSITION:** Motion carried

### Minutes

The minutes of the December 29, 2015 Board of County Commissioners meeting were presented.

**MOTION BY:** Commissioner Kuntz      **SECOND BY:** Commissioner Wolf  
To approve the minutes of the December 29, 2015 Board of County Commission minutes as presented.

**DISPOSITION:** Motion carried

### Election of Officers

Chairman

**MOTION BY:** Commissioner Wolf      **SECOND BY:** Commissioner Elkin  
To reappoint Commissioner Hoff as Chairman.

**DISCUSSION:** Commissioner Zander called for the question

**DISPOSITION:** Motion carried

Vice-Chairman

**MOTION BY:** Commissioner Kuntz      **SECOND BY:** Commissioner Zander  
To reappoint Commissioner Elkin as Vice-Chairman.

**DISCUSSION:** Commissioner Zander called for the question

**DISPOSITION:** Motion carried

### Accounts Payable

Chairman Hoff questioned if the Otis elevator contract is a yearly contract. It was advised that it is. Commissioner Elkin questioned a payment to the Southwest coalition of safe communities. It was advised that this is community action. Commissioner Wolf questioned a \$9,833 invoice for vehicle expenses to Electronic Communications. It was advised this is the cost for a brand-new vehicle set up for the Sheriff's department and was paid for by a grant. Chairman Hoff questioned the insurance listed on the last page and why they are all separate. Ms. Haag advised that comes in on one bill however there are general ledger line items for each. Commissioner Elkin questioned an invoice for

Morton County inmate housing. This item will be researched and the Commission will be advised.

**MOTION BY:** Commissioner Elkin                      **SECOND BY:** Commissioner Zander

To approve the accounts payable with the supplement as presented.

**DISPOSITION:** Roll call vote. All voted aye. Motion carried

**General:** Payroll: \$300,666.98; ND County Commissioners Association: \$1,600.00; Matthew Bender Co Inc: \$236.61; Dakota Water Treatment: \$10.50; SBM Inc: \$710.82; Walmart: \$61.55; Thos Y Pickett & Co Inc: \$20,000.00; Consolidated: \$431.39; MDU: \$3,277.82; Roughrider Electric: \$150.00; SW Water Authority: \$40.40; Border States Electric: \$94.98; Ferguson Enterprises: \$133.60; Otis Elevator Co: \$2,953.07; Rudy's Lock & Key: \$3.00; City of Dickinson: \$13,448.61; T-Rex Conoco Inc: \$87.36; ND Pers: \$84,659.24; American Insurance: \$110,493.58; NDACO: \$48,062.79; Blue Cross Blue Shield: \$483.20; Stark County Auditor (Federal Deposit): \$46,834.22; Mackoff Kellogg: \$1,738.85; Wex Bank: \$4,314.63; Visa: \$2,319.88; Pamela Lynch: \$560.00; Dickinson Press: \$508.68; SW Coalition of Safe Communities: \$10,000.00; US Postal Service: \$50.00; Century Link: \$487.00; AT&T Mobility: \$2,252.16; Advanced Business Methods: \$741.93; American Bank Center: \$162.18; Dakota Community Bank: \$19.70; Pitney Bowes: \$888.60; Service Printers: \$319.05; Forsgren Associates: \$2,720.05; McKenna K Haverluk: \$3.50; Dickinson Parks & Rec: \$45.76; Comfort Inn: \$640.00; NRA Program Materials: \$99.90; SW Crime Conference: \$100.00; POST Board: \$45.00; Belfield Sportsman Club: \$1,000.00; Thomson Reuters: \$332.28; NDACo Resources: \$1,109.44; Dickinson Tire: \$836.32; Electronic Communications: \$10,308.75; Parkway Ford: \$292.95; LEC Maintenance: \$14,965.83; Verizon Wireless: \$181.73; National Association of Counties: \$484.00; Roosevelt-Custer Regional Council: \$33,670.00;

**County Road:** Martin Construction: \$2,390.63; Schwartz Construction: \$4,667.25; North Central Rental: \$4,550.00; Schmidt Repair Inc.: \$11,000.00; Val's Sanitation: \$210.00; City of Dickinson: \$98.85; Consolidated: \$55.03; MDU: \$1,282.62; Roughrider Electric: \$1,860.00; SW Water Authority: \$58.83; AT&T Mobility: \$114.66; City of Richardton: \$76.90; Century Link: \$56.24; Belfield Automotive Supply: \$36.99; Bosch Lumber Company: \$54.17; Dickinson Supply: \$69.64; Lenny's Repair: \$227.50; Newby's Ace Hardware: \$25.19; Runnings: \$27.99; J&J Operating: \$121.12; Nelson International: \$143.68; United Truck & Equipment: \$1,721.80; Westlie Truck Center: \$122.56; Visa: \$2.00; Dakota Tool & Machine: \$24.00; Midwest Hose & Supply: \$19.85; RDO Equipment Co: \$321.76; Butler Machinery: \$633.64; West Dakota Oil: \$3,005.53; SW Grain: \$4,402.26; ABC Diesel Inc: \$75.00; Arrow-Magnolia Inc: \$362.69; Creative Energy: \$84.00; Pump Systems LLC: \$1,529.67; Val's Sanitation: \$120.00; Raymond Ververka: \$31,184.37; Vince & Ardella Ververka: \$31,184.38; Community Action: \$548.00; NDACE Conference: \$450.00;

**Highway Tax Distribution:** Payroll: \$123,712.94; ND Pers: \$34,989.61; NDACO: \$27,661.78;

**Social Welfare:** Payroll: \$200,986.96; NDACO: \$6,767.90; Wrap Around: \$642.69; ND Pers: \$58,495.68; ND Department of Human Services: \$3,655.51; American Insurance:

\$14,212.42; Advanced Business Methods: \$93.08; AT&T Mobility: \$43.98; City of Dickinson: \$186.18; Consolidated: \$1,038.07; DJ's Tesoro: \$27.87; Bertie Gustafson: \$700.00; MDU: \$1,266.01; Newby's Ace Hardware: \$14.99; Record Keepers: \$33.00; SBM Inc: \$259.97; Stevenson Funeral Home: \$1,950.00; The UPS Store: \$45.28; Visa: \$492.97; Dickinson Parks & Rec: \$20.80;

**County Poor:** ND Department of Human Services: \$40,717.50;

**IT-Computer/Updates:** Consolidated: \$247.47; NDACO Resources: \$920.85; Vanguard Appraisals: \$2,475.00; Governsoft: \$12,195.00;

**Capital Improvement:** Dickinson Press: \$89.91; SWMCCC: \$69,673.34; LEC Maintenance: \$1,965.20;

**Fair Board:** Stark County Fair Board: \$272.00;

**County Jail:** Morton County Sheriff's Dept: \$150.00;

**VSO Fund:** Payroll: \$4,897.50; Dakota Water Treatment: \$1.25; Verizon Wireless: \$80.02; Consolidated: \$52.38; Country Media Inc: \$15.00;

**Social Security:** Stark County Auditor (Federal Deposit): \$113.98;

**County Agent:** Payroll: \$3,979.52; ND Pers: \$607.28; NDACO: \$198.87; Consolidated: \$180.45;

**Weed Control:** Payroll: \$17,375.29; ND Pers: \$5,034.71; NDACO: \$2,007.92; Stark County Auditor (Federal Deposit): \$255.27;

**9-1-1:** Payroll: \$5,422.07; ND Pers: \$1,968.26; Stark County Auditor (Federal Deposit): \$383.69; NDACO: \$141.13; City of Dickinson: \$12,392.50; Visa: \$845.00; Century Link: \$1,617.05; Consolidated: \$459.00;

**Domestic Violence:** State Treasurer: \$385.00;

**Oil Impact Grant:** Payroll: \$5,008.07;

**Traf Safety Grant:** Payroll: \$736.02;

**Security/Transfer DJS Reimb:** Wex Bank: \$503.20;

**SW Victim Witness Program:** Payroll: \$5,633.33; NDACO: \$160.38; Verizon Wireless: \$80.02; ND Pers: \$1,295.75; Consolidated: \$39.97; AT&T Mobility: \$85.72; Stark County Auditor (Federal Deposit): \$413.16;

**DVRCC:** Domestic Violence: \$151.02;

**State Reimbursements:** Lauren Asheim: \$50.00; Kevin Eldridge: \$25.00; Michael Hanson: \$50.00; Samantha Ruane: \$25.00; Phillip Worley: \$25.00; Chad Hopponen: \$25.00; Justin L Fridrich: \$25.00; Michael Olson: \$25.00; Nathaniel Younkin: \$25.00; David Wallace: \$25.00;

**Siren Contingency:** Roughrider Electric: \$272.00;

**Other Reimbursements:** Dickinson Collision Center: \$1,063.08; Consolidated: \$267.03; Hewlett-Packard: \$1,470.43; GT Distributors: \$1,699.70; Office of Attorney General: \$5,310.00; Curtis Johnson: \$48.00;

**Judgement Execution:** Cottrell Law Firm: \$1,804.59; Stark County Sheriff: \$498.97; Prairie Supply: \$15,452.13;

**BCI-Task Force Grants:** Payroll: \$10,475.01; NDACO: \$307.92; ND Pers: \$2,392.61; Stark County Auditor (Federal Deposit): \$628.52; Bravo Concealment: \$206.96; DRS Enterprises: \$24.95; Galls LLC: \$1,432.85; Smart Computers: \$784.98; Walmart: \$71.26; Synch/Amazon: \$1,483.32; Verizon Wireless: \$1,865.96; Wex Bank: \$421.91; Dickinson Collision Center: \$1,000.00; Prairie Haven Apt: \$600.00; Tactical Technologies: \$2,410.00; Quality Quick Print: \$59.00; Consolidated: \$66.91; Enterprise Fleet Management: \$28,000.00; John Kostecky: \$10,008.00;

**911 Equipment:** Consolidated: \$155.54;

#### **Road Superintendent - Al Heiser**

Mr. Heiser provided his monthly reports. Received a request to pave into Southwest Grain when the Highway 10 project is complete. There may be a cost-share opportunity with Southwest Grain to have this work done. Mr. Heiser also advised that the shop in Richardton should have some maintenance work completed. Will get some quotes for the maintenance work and bring back to the Commission.

#### **Sheriff Oestreich**

Sheriff Oestreich provided his monthly report which included the following:

- 60 criminal papers were received and 61 were served;
- The arrest tally included 9 accidents, 130 stops, 95 citations, and 57 warnings;
- 141 civil papers were received and 128 were served;
- Transports included 6 criminal, 12 daily court, 9 mental health, and 5 juveniles;
- The truck reg. program had a total of \$140.00 in fines and \$29,473.18 in permits;
- The 24/7 program had a total of \$1,789.00 in revenue.

There were a total of 642 hours of overtime. This overtime includes the alcohol and seatbelt enforcement along with over half of hours is for an incident with a suspect that was taken to a medical facility in Minot where the Sheriff's Department provided security for the suspect.

#### **Pledge of Assets and Depositories**

Ms. Haag presented the following information:

- American Bank Center – Deposits of \$33,396,643.10, Market Value of \$42,342,359.00, and pledging required amount of \$36,461,307.41;
- Dakota Community Bank – Deposits of \$8,179,018.68, Market Value of \$9,305,366.05, and pledging required amount of \$8,721,920.55;
- Bremer Bank CD – Deposits of \$500,000.00, Market Value of \$1,195,905.00, and pledging required amount of \$275,000.00
- There was nothing listed with Dacotah Bank CD's, Bank of the West, and Western Cooperative Credit Union.

**MOTION BY:** Commissioner Elkin

**SECOND BY:** Commissioner Wolf

To approve the pledge of assets and depositories as presented.

**DISPOSITION:** Roll call vote. All voted aye. Motion carried

### **Radar Service Contract**

Mr. Fahlsing presented a radar service contract between Stark County and the North Dakota Atmospheric Resource Board for the maintenance and operations of the Bowman Radar. Mr. Fahlsing advised that this is the normal annual contract with the only changes in 2016 being the dates and compensation amount of \$4,000. The amount was reduced in 2015 to \$3,500 due to the radar being out of operation for one month for maintenance. Mr. Fahlsing advised that this radar is primarily used to fill gaps in Southwest North Dakota when monitoring severe weather. Mr. Fahlsing also advised this fund is in the 2016 budget.

**MOTION BY:** Commissioner Wolf

**SECOND BY:** Commissioner Elkin

To authorize the chairman to sign the radar service contract as presented.

**DISPOSITION:** Motion carried

### **County Engineer – Justin Hyndman**

Mr. Hyndman provided the following monthly report:

- 32<sup>nd</sup> St SW Green River Bridge – Meyer Contracting. Project records have been submitted to NDDOT. Waiting on documents from Contractor.
- 38<sup>th</sup> St SW CMC 4512 Phase 2 Additional Aggregate Base and Paving 2.0 miles – Northern Improvement apparent low bid. 2016 construction.
- 32<sup>nd</sup> St SW CMC 4527 Grading and Aggregate 1 mile – Project complete. Final KLJ invoice submitted.
- 32<sup>nd</sup> St SW CMC 4527 Paving 1 mile – Project complete. Final KJL invoice submitted.
- 112<sup>th</sup> Ave SW 30<sup>th</sup> to 32<sup>nd</sup> CMC 4521 Grading and Aggregate 2.3 miles – Project complete. Final construction invoice submitted. KLJ will complete wetland monitoring to satisfy the USACE.
- 112<sup>th</sup> Ave SW 32<sup>nd</sup> to 33<sup>rd</sup> CMC 4521 Paving 1 mile – Project complete. Final KLJ invoice submitted.
- 112<sup>th</sup> Ave SW Green River Bridge 120-03.0 – Scheduled for March 11, 2016 mid opening through the NDDOT.

- Bridge 45-141-20.0 – KLJ will be completing plans for February 1, 2016 bid opening.
- South Heart Road CMC 4511 Mill and Overlay 1 mile – KLJ is working on plans.
- Hwy 10 Dickinson to 83<sup>rd</sup> Ave SW Overlay and Chip Seal 23 miles – KLJ is working on environmental documents and plans.
- 32<sup>nd</sup> St SW and 105<sup>th</sup> Ave SW Reconstruct – Project is on hold.
- 112<sup>th</sup> Ave SW from 34<sup>th</sup> St SW to 33<sup>rd</sup> St SW 1 mile Reconstruct – Project is on hold.
- Traffic Counts – NDDOT sent letter requesting traffic counts. November 19, 2015.

### **Portfolios**

Ms. Haag provided a handout containing all of the Commissioner's assigned portfolios. All Commissioner's agreed to maintain the current list of portfolios. Commissioner Zander also discussed Commissioner Hoff and Elkin remaining on Planning and Zoning. Both Commissioners agreed to remain on the Board. There were no changes to portfolios.

### **Zoning Board Appointment**

Commissioner Elkin advised that he received a call from Daneen Dressler from the Richardton area with an interest to serve on Planning and Zoning.

**MOTION BY:** Commissioner Elkin                      **SECOND BY:** Commissioner Zander

To appoint Daneen Dressler to the Planning and Zoning Board.

**DISCUSSION:** Commissioner Zander called for the question.

**DISPOSITION:** Motion carried

Commissioner Zander also advised that Mike Schoch expressed an interest in a position. Mr. Henning advised that all spots on the Planning and Zoning Board have been filled. The Commission advised that when an opening becomes available in the future they will keep Mr. Schoch in mind.

### **Houston Engineering – Sherwin Wanner**

Mr. Wanner provided a handout to the Commission with an overview of Houston Engineering. Advised they were founded in 1968 and do have an office in Dickinson. They have a total of 180 employees throughout the firm's locations and would like to be considered for future Stark County projects.

### **ESG Payment**

Commissioner Wolf provided a history of the ESG Payments related to the Law Enforcement Center. Since the City of Dickinson vacated the LEC there is an outstanding balance of \$153,680. The City has offered a settlement of \$75,000. Commissioner Wolf would not like to negotiate this amount down and would in turn also request that the City provide a quick deed claim to the land of which the LEC is located. Commissioner Zander is looking for both advantages and disadvantages to the County taking ownership of the land. Commissioner Wolf requested that the Commission take some time to think about this and will have further discussion at the next County Commission meeting.

### **Forsgren**

Ken Good with Forsgren presenting. Mr. Good provided an overview of the annual contract along with a review of the previous two years of data. The Commission advised they have had some concerns raised with the existing process. Ms. Brines advised she has only had one complaint.

In regards to the contract presented, Mr. Henning advised he would prefer an annual contract rather than a two year contract. The Commission would also like a breakdown of services provided in the ETZ area.

Commissioner Zander advised that these services were not bid by the County when the move was made away from the City of Dickinson's services.

Mel Zent, Owner of Dakota West Inspection Services provided a background and has offered his services to the County. Mr. Zent stated that he lives in the area the County is responsible for and has a personal connection to these services.

Commissioner Zander advised when the contract is up for renewal the County should open this service for proposals.

**MOTION BY:** Commissioner Zander      **SECOND BY:** Commissioner Elkin  
To amend the contract to a period of one year and authorize the Chairman's signature.

**DISPOSITION:** Roll call vote. All voted aye. Motion carried

### **Al Heiser – Phone Line**

Mr. Heiser advised that a phone line was hit on a section line while blading. Commissioner Zander feels it should be turned over to insurance. This also led into discussion regarding a bridge that was damaged which is not covered by insurance. Commissioner Zander asked that Mr. Henning start legal action on this matter.

### **Wind Energy Committee**

Chairman Hoff advised that with the changes at a previous meeting which no longer will allow the County to accept applications for wind farms until the current project is complete, the Wind Energy Committee no longer needs to meet.

**MOTION BY:** Commissioner Elkin      **SECOND BY:** Commissioner Wolf  
To place the Wind Energy Committee on hold.

**DISCUSSION:** Commissioner Elkin advised the committee could not come to an agreement.

**DISPOSITION:** Roll call vote. All voted aye. Motion carried

### **Vision West Board Appointment**

Ms. Haag provided an email stating that Gaylon Baker would like to stay on the board. Gaylon is also planning on retiring in August so that board position would transfer to someone at the Stark Development Corporation.

**MOTION BY:** Commissioner Zander      **SECOND BY:** Commissioner Elkin  
To reappoint Gaylon Baker to the Vision West Board.

**DISPOSITION:** Motion carried

The following Miscellaneous Receipts were filed: General: \$232,241.28; 10 Mil: \$30,828.21; County Road: \$224,394.33; Highway Tax Distribution: \$387,057.68; SP Road & Bridge: \$9,262.08; Social Services: \$78,179.88; County Poor: \$129,988.15; IT-Computer/Updates: \$393.34; Capital Improvement: \$238,390.57; County Park: \$8,101.15; County Jail: \$23,518.43; Insurance Reserve: \$131.00; Emergency Fund: \$3,087.36; Veterans Services: \$17,086.21; Social Security: \$2,707.54; County Agent: \$40,437.70; Weed Control: \$8,965.25; 911 Revenue: \$28,524.55; Adult Education: \$248.91; Fingerprint Station: \$672.00; Domestic Violence: \$420.00; OP Grant: \$4,026.44; Traffic Safety Grant: \$1,472.04; Estimate Taxes: \$722.00; Game & Fish Licenses: \$9,397.50; Security/Transfer DJS Reimb: \$136.16; SW Victim Witness Program: \$2,441.00; Hazardous Chemical Prep: \$5,100.00; Domestic Violence & Rape Crisis Center: \$606.00; Preservation Fee: \$1,479.00; Other Reimbursements: \$33,377.98; Judgment Execution: \$17,755.69; BCI-Task Force: \$38,171.44; 911 Equipment: \$5,319.17;

**MOTION BY:** Commissioner Elkin  
To adjourn the meeting.

**SECOND BY:** Commissioner Wolf

**DISPOSITION:** Motion carried

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Kay Haag, Auditor

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Russ Hoff, Chairman